

SECTION 12 – VILLAGE MIXED USE DISTRICT (VMU)

12.1 Purpose

- (a.) Promote development in South Grafton that encourages a mixed-use environment that is less automobile dependent and more pedestrian-friendly.
- (b.) Encourage a diverse mix of business, commercial, office, residential, institutional and entertainment uses for workers, visitors, and residents.
- (c.) Permit uses that promote conversion of existing buildings in a manner that maintains the visual character and architectural scale of existing development within the district.
- (d.) Minimize visual and functional conflicts between residential and nonresidential uses within and abutting the district.
- (e.) Promote pedestrian and bicycle circulation and safety.
- (f.) Encourage work/live space.

12.2 Applicability and Administration

12.2.1 The Village Mixed Use (VMU) District is hereby established and consists of those areas shown on the Town of Grafton Zoning Map on file with the Town Clerk. The District boundaries are as indicated on the Map.

12.2.2 The site and design guideline criteria within this Section shall be applicable to all residential buildings with two or more units and non-residential developments within the district. This includes any new building construction; a change in building use (adaptive reuse of an existing building) or a significant alteration of the existing building facades; work which results in the increase of floor area through either an addition to the principal structure; addition of a new accessory structure, or significant change to an existing accessory structure; or any activity requiring a new curb cut.

12.2.3 The Planning Board shall be the permit granting authority for the Village Mixed Use District.

12.3 Definitions

Mixed Use Development - A development of two or more compatible land uses, such as residential, office, retail, recreational, and light industrial.

12.4 Permitted and Prohibited Uses

12.4.1 Allowed Uses

The following uses are allowed as of right in the VMU district:

- a.) Mixed-use developments
- b.) Multi-family dwelling up to 8 units per acre only in mixed-use development
- c.) Community and/or neighborhood centers
- d.) Retail up to 5,000 sq. ft.
- e.) Personal and consumer services up to 5,000 sq. ft.
- f.) Restaurants (no drive-up window)
- g.) Medical/dental offices
- h.) Offices
- i.) Banks (no drive-up window)
- j.) Bed and breakfast
- k.) Indoor recreation

12.4.2 Allowed Uses by Special Permit

- a.) Retail over 5,000 sq. ft., but no larger than 15,000 sq. ft.
- b.) Personal and consumer services over 5,000 sq. ft., but no larger than 15,000 sq. ft.

12.4.3 Prohibited Uses

- a.) Golf course
- b.) Outdoor golf driving range or mini-golf
- c.) Retail, personal/consumer services, banks, etc. with drive-up windows
- d.) Nursing/convalescent homes

12.5 Restrictions

12.5.1 Location and Distribution of Uses. The ground floor of a commercial building or mixed use building (any combination of retail, office, and residential) shall be occupied by commercial uses only.

12.5.2 Maximum residential density shall be eight dwelling units per acre.

12.6 Intensity of Use

- a.) Minimum lot size – 20,000 sq. ft.
- b.) Minimum frontage – 100 ft.
- c.) Minimum yards
 - (1.) Front – none
 - (2.) Side – 15 ft.
 - (3.) Rear – 15 ft.
- d.) Maximum building coverage – 75%
- e.) Maximum building height – 40 ft.

12.7 Parking

The following guidelines are included to ensure that new and renovated off-street parking areas are constructed in accordance with the district's desired design character, the provisions of this bylaw, and other town bylaws pertaining to parking.

12.7.1 a.) Parking lots for new construction shall be located to the side and rear of the lot unless such a location is not feasible. Parking is prohibited within the front yard. Parking lots that abut public rights of way or grade parking under the building shall be screened with one or a combination of the following:

- (1.) A low wall made of concrete, masonry or other suitable material not exceeding a height of 3 feet.
- (2.) Raised planters planted with a minimum of 80% evergreen shrubs not to exceed a total height of 6 feet (including planter).
- (3.) Landscaping consisting of a mix of trees and shrubs provided that 80% of the shrub plantings are evergreen.

b.) Walls, fencing and architectural details shall complement the materials of adjacent architectural styles.

c.) Where walls are provided, planting areas shall be a minimum width of 4 feet and should be located adjacent to the public right of way.

d.) Where possible, parking areas shall be interconnected in a manner that allows the unobstructed flow of pedestrians between uses and parking areas.

e.) In large parking lots (20 or more spaces) provision for bicycle racks shall be provided in locations that are safely segregated from automobile traffic and parking.

12.7.2 **Shared parking.** Shared parking is the approved use of the same off-street parking spaces for two or more uses where peak parking demand of the different uses occurs at different times of the day, or, where various uses are visited without moving the automobile; and, where the division of parking spaces is a net decrease from the combined total of each use's individual off-street parking requirements, if required separately.

12.7.2.1 Requirements and Criteria. Shared parking arrangements are subject to review and approval by the Planning Board subject to the following requirements and criteria:

a.) Submission of a reciprocal agreement executed by the owners and operators of the different sources or uses ensuring the long-term joint use of such shared parking, and defining the terms upon which the parking is shared;

b.) If required by the Planning Board information concerning the following may be requested:

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- (1.) the hours of operation and parking demand for each use;
 - (2.) the hours of peak demand for parking;
 - (3.) a description of the character of the land use and the parking patterns of adjacent uses;
 - (4.) an estimate of the anticipated turnover in parking space use over a 24 hour period of time;
 - (5.) a site plan showing all proposed parking spaces, including the shared use spaces in the lot and the walking distance to the uses sharing the lot; and
 - (6.) any other information concerning parking deemed necessary by the Planning Board to render a decision.
- c.) In the event that the conditions for shared parking change, or if the shared parking arrangement is discontinued, the applicant shall notify the Planning Board within 10 days. The Planning Board shall then require the applicant to meet the applicable parking requirements found in Section 4.2.2 Off-Street Parking Schedule

12.7.3 Decision. A determination shall be made by the Planning Board that the shared parking:

- a.) is no more than 500 feet from each use sharing the parking facility;
- b.) hours of operation and peak demand of the uses involved shall not conflict; and
- c.) will provide an adequate number of spaces for the applicable uses.

12.7.4 Off-Street Parking Schedule

Multi-family dwelling:

- a.) Studio and 1 bedroom – 1 space per unit
- b.) 2 bedroom – 1.5 spaces per unit
- c.) 3 or more bedrooms – 2 spaces per unit

12.8 Curb Cuts

Developments shall be designed in a manner that minimizes the number of curb cuts. To the extent feasible, access to businesses shall be provided through one of the following methods: (a) from an existing side or rear street thus avoiding the principal thoroughfare or (b) from a common driveway serving one or more adjacent properties.

The Planning Board may deny a curb cut if the proposed development is inconsistent with the following guidelines:

- a.) Curb cuts shall be limited to one unless the Board feels that due to large parcel size an additional cut is justified.
- b.) When access is available from a public side or rear street the Board may deny a curb cut from a primary street.
- c.) Shared drives are encouraged between adjacent parcels when appropriate.

12.9 Performance Standards

12.9.1 Pedestrian and Bicycle Access

Provision for safe and convenient pedestrian access shall be incorporated into plans for new construction of buildings and parking areas and should be designed in concert with landscaping plans noted below. Site plans in the Village District should provide for continuity from sidewalks in public streets to all pedestrian entrances on the site, and walkability should be given primary importance over road speed and other access criteria. New construction should improve pedestrian access to buildings, sidewalks and parking areas and should be completed with consideration of pedestrian safety, handicapped access and visual quality. Where appropriate, applicants are encouraged to provide pedestrian and/or bicycle paths (or connection to the proposed bicycle rail trail) connecting the site with abutting areas in order to promote pedestrian and bicycle circulation and safety in the South Grafton. When parking is located in the rear, pedestrian access via a pedestrian-oriented alley or walkway through to the primary street is encouraged.

12.9.2 Landscaping

Landscaping shall be incorporated into new and redeveloped properties in such a way as to create visual relief and interest, provide shade for pedestrian areas and to screen parking and loading areas. Landscape plans shall be prepared by a registered landscape architect, although the Planning Board may, by an affirmative vote of at least 4 members (or 3 when less than 5 are eligible to vote on such application), one of whom may be the Associate Member when sitting in review of the application, authorize deviation from the requirement provided such deviation is not, in the opinion of the Board, contradictory or inconsistent with the intent and guidelines set forth in this Section. Landscape plans shall show the location, type, and size of all proposed plantings as well as enough of the surrounding context such that the Board may determine the plan's appropriateness.

12.9.2.1 Side Yard Treatment

- a.) Where the distance between structures on adjacent lots is 10 feet or less the side yard shall be screened by a solid fence, wall or landscape treatment of evergreen plantings at a height not to exceed 3 feet.

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- b.) Where the distance between structures on adjacent lots is greater than 10 feet landscaping shall consist of a combination of materials sufficient to break up the view into the side yard but, for safety reasons, in no case should this planting be impermeable.
 - c.) Side yards may, in the alternative, be established as pedestrian walkways to access parking areas to the rear of the building. Such walkways shall be landscaped and lighted for safety.

12.9.2.2 Parking Areas

- a.) Large parking areas shall be relieved by landscaped islands of a minimum of 8 feet in width, equal in depth to the depth of a typical parking space and located such that there is one island per 10 continuous spaces.
- b.) Alternatively, at least 5% of the interior area of the lot shall be devoted to landscaping. Areas described in the above shall have at a minimum one shade tree with a minimum caliper of 2 ½ inches diameter breast height (DBH). Trees planted in such locations shall be planted in protected pervious areas which have a minimum dimension of 5 feet.
- c.) Where lots abut public rights of way, shade trees with a minimum caliper of 2 ½ inches, shall be provided within a planting strip no less than 4 feet in width and at a rate of one tree per every 6 continuous spaces.

12.9.2.3 Trash and Service Areas

- a.) All service, loading and trash storage areas viewable from a public right of way or from an adjacent residential area shall be screened by one or a combination of masonry, a wood screen, or evergreen plantings to reduce their visual impact.
- b.) Loading and service areas shall not face any residential area unless no other location is possible. Loading areas shall be subject to screening requirements stated herein.
- c.) Garage doors and loading spaces are prohibited on the front façade of any building unless no other location is feasible.

12.9.3 Design Regulations

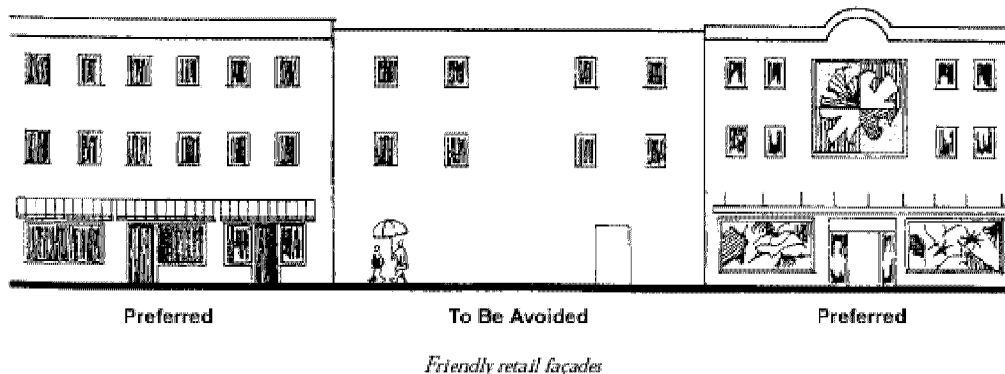
12.9.3.1 Orientation Buildings shall be oriented parallel to the front setback line to preserve a consistent façade line with the street. Primary building entrances should easily identified and be oriented to the street. The primary entry should be clearly visible from the public street which provides the building's main orientation.

12.9.3.2 Articulation New and redeveloped buildings should reinforce the character of the existing streetscape by creating visual interest and reinforcing pedestrian scale. The apparent bulk and large wall expanses of multi-story buildings as well as single story buildings of 15' height or more should be minimized by incorporating one or preferably a combination of the following:

- a.) Windows
- b.) Architectural Details
- c.) Canopies
- d.) Overhangs
- e.) Indented Bays
- f.) Change of Building Materials

The top of such buildings should display a distinct profile or outline incorporating such elements as a projecting parapet, cornice, upper level setback or pitched roofline. When immediately adjacent a building with such articulation, new and redeveloped buildings should provide a treatment that is respectful, such as providing a consistent cornice line where possible.

Large expanses of blank walls are prohibited for commercial and mixed use buildings. The ground floor facade along the primary street shall have continuous storefront windows, with the exception of necessary piers, columns, pilasters, etc.



12.9.3.3 Transparency For commercial and mixed- use buildings, a minimum of 60% of the building façade oriented to the street must be comprised of clear windows that provide views to indoor retail space, dining space or product areas when applicable. Where parking occupies the ground floor the same solid to void ratio must be achieved utilizing techniques such as half-walls, grillwork, or landscaped trelliswork or their equal.

12.9.3.4 Doors and Entrances

- a.) Buildings must have a primary entrance facing a public street or way and should be visually prominent.
- b.) In buildings with multiple ground floor tenants entries should provide a coordinated design theme i.e. a common canopy, architectural projection or awning design.

12.9.3.5 Pedestrian Spaces and Comfort For the purpose of providing a pedestrian friendly environment in the Village District, new and redeveloped buildings should provide for outdoor seating areas, scaled to the size and demands of the proposed use, where feasible. For example, a large, multi-story project should provide a patio or small plaza area located near the front entry with multiple benches and landscaping. A mixed-use project with ground floor retail such as a restaurant may provide an area for outdoor dining which extends the indoor dining space for seasonal use. A ground floor use may provide a sidewalk bench where there is sufficient width.

Such pedestrian areas are best located when they take advantage of southern exposure and provide space that affords visual connectivity but is setback from major pedestrian flow and vehicular ways and is appropriate to the location.

Outdoor sales and display areas should be well organized and located such as not to impede pedestrian circulation if located on a public walk or way.

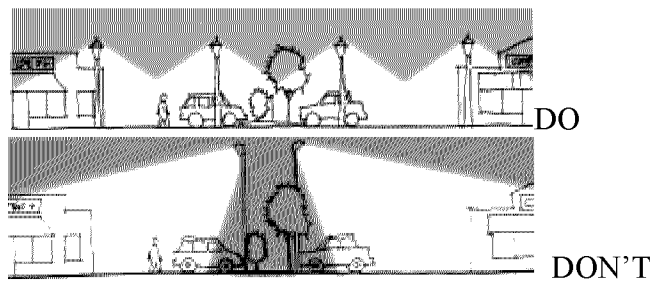
The following guidelines should be considered in the design and location of pedestrian spaces:

- a.) Flexible design to allow for flexible use
- b.) Buffering from major vehicular areas such as parking lots or main traffic ways
- c.) Lighting for nighttime comfort and safety
- d.) Appropriate street furnishing...i.e. benches, trash receptacles
- e.) A focal element where appropriate such as a water feature, special landscape feature or public art installation
- f.) Decorative paving and seasonal planting
- g.) South facing locations
- h.) Visual connectivity, especially to important views such as an historic structure
- i.) Appropriately scaled to the development

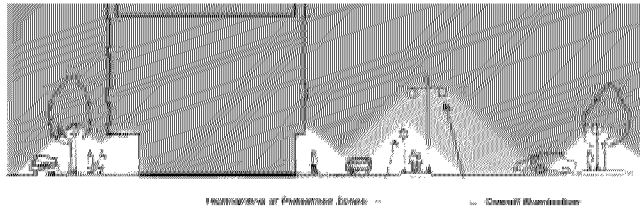
12.9.3.6 Utilities Underground utilities for new and redeveloped building are required unless physically restricted or blocked by existing underground obstructions.

12.9.3.7 Lighting Site lighting, security lighting and architectural/landscape lighting should provide the user with illumination levels appropriate for the designed activity (i.e. parking, walking, outdoor dining) while meeting minimum requirements. Illumination levels should also be reasonably uniform throughout the site and strive to minimize glare. Provide adequate lighting levels in all pedestrian areas, including building entries, along walkways, parking areas, and other public areas. Provide the following in lighting plans:

- a.) An overlapping pattern of light at a height of about 10-15 feet in lighted pedestrian areas and 20 – 24 feet in parking areas.



- b.) Lighting at consistent lumens with a gradual transition to unlighted areas. Highly contrasting pools of light and dark can be temporarily blinding and should be avoided.
- c.) In each lighted area, design lighting levels that will allow pedestrians to identify a face 15 yards away (generally, a minimum of 4 foot-candles). Adequate lighting reduces anonymity and gives pedestrians an opportunity to choose another route.
- d.) Adequate lighting at all building entrances, exits and corridors between buildings, at least 4 foot candles during active use, especially where doors are recessed.



- e.) Confine site lighting to the project site; use shields or other methods to eliminate glare on adjacent properties.
- f.) Place light posts and standards so that they do not create hazards for pedestrians or vehicles.
- g.) Indicate specific lighting levels in each lighted area.

12.9.3.8 Quality of site furnishings Provide for the following site plan elements:

- a.) High-quality materials in site furnishings and features, such as durable and easily maintained walls and paving.
- b.) Site features and furnishings that discourage vandalism. Furnishings that are easily removed or do not convey an image of care invite misuse.
- c.) Safety materials, such as non-slip walkway surfaces.

12.9.3.9 Signs

- a.) It is encouraged that signs that project from the building are to be designed in such a way that they are compatible with the nature of Village District (e.g. wooden “antique-style” signs).
- b.) Sign materials in the Village District for hanging signs: Traditional-looking materials such as wood, brass, bronze, or others are encouraged, as they are most appropriate. Wooden signs should be constructed of dense wood that will accept paint readily.

12.9.3.10 Water Supply Performance Standards

- a.) All stormwater runoff generated from development and land use conversion activities shall not discharge untreated stormwater runoff directly to a wetland, local water body, municipal drainage system, or abutting property, without adequate treatment.
- b.) Annual groundwater recharge rates shall be maintained, by promoting infiltration and recharge through the use of structural and non-structural methods. At a minimum, annual recharge from the post development site shall equal the annual recharge from pre-development site conditions.
- c.) The stormwater runoff volume to be recharged to groundwater should be determined using the methods prescribed in the latest version of the Massachusetts DEP Stormwater Management Manual. The recharge requirements shall apply to all activities within the jurisdiction of this by-law except as noted, and unless specifically waived by the Planning Board.
- d.) All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the most recent version of the Massachusetts DEP Stormwater Management Manual. For other structural stormwater controls not included in the Massachusetts Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the Planning Board before being included in the design of a Stormwater Management system.